

**Opening Statement of Chairman Fred Upton
Environment and the Economy Subcommittee Hearing
“NRC Repository Safety Division – Staff Perspective on
Yucca License Review”
June 24, 2011**

Today’s hearing continues our examination of management practices at the Nuclear Regulatory Commission, particularly the relationship between the Chairman’s office and the rest of the Agency.

I especially thank our witnesses who appear today under uncomfortable circumstances. It is clear things aren’t as they should be at the NRC and it’s never easy to discuss these problems in public. Our witnesses today have many years of experience under multiple NRC Chairmen and they have strong views about what integrity means in NRC management and decision-making. Thank you for being here so we can make sure we get accurate information,

After nearly three decades of scientific research, strong bipartisan collaboration, and billions of taxpayer dollars invested, America deserves to know: Does the design, performance, and operation of the proposed Yucca repository as described in DOE’s license application comply with all applicable NRC regulations for the disposal of high-level radioactive waste?

That’s exactly what our witnesses today are charged with finding out and reporting publicly to the full Commission and the rate payers who paid for this work. They are on the frontlines working within the NRC division responsible for the independent safety review of the Yucca Mountain repository license-application. Staff perspective on the termination of the Yucca license review is absolutely necessary to understand the full story of the effort to derail the Yucca Mountain repository.

We also need to get a better understanding about the flow of information to and from the full Commission and whether policy guidance to staff is coming from one Commissioner – the Chairman – or from the full Commission, and whether the most senior staff are serving just one Commissioner – the Chairman – or all the Commissioners.

I’m also eager to learn if our witnesses agree with the Inspector General’s report, which revealed discontent among Commissioners and staff on behalf of the Chairman’s manipulative practices.

DOE filed the Yucca License application in June 2008. The Nuclear Waste Policy Act says that NRC must issue a final rule on the application within three years, or explain to Congress why it needs more time, but only up to another year.

Here we are three years later and the Commission has not even voted on whether the application is still active. Instead, the Commission, or rather a single Commissioner, has shut down the review that is required by law.

That's why we must examine these questions under a microscope to finally piece together the complete picture of what's wrong at the NRC and what can be done to fix it.

We must remove any political interference and restore the "independence" to this critical independent agency. Our nuclear future and our national security hang in the balance. The American people deserve better.